

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

	)	CSR 7234-E
	)	CSR 7235-E
	)	CSR 7236-E
	)	CSR 7369-E
	)	CSR 7370-E
	)	CSR 7372-E
	)	CSR 7385-E
In the Matter of	)	CSR 7386-E
	)	CSR 7388-E
Time Warner Cable Inc., and Time Warner	)	CSR 7404-E
Entertainment-Advance/Newhouse Partnership	)	CSR 7405-E
	)	CSR 7406-E
25 Petitions for Determination of Effective	)	CSR 7483-E
Competition in Various Communities in the State	)	CSR 7491-E
of New York and the Commonwealth of	)	CSR 7492-E
Pennsylvania	)	CSR 7494-E
	)	CSR 7497-E
	)	CSR 7499-E
	)	CSR 7501-E
	)	CSR 7536-E
	)	CSR 7555-E
	)	CSR 7556-E
	)	CSR 7557-E
	)	CSR 7559-E
	)	CSR 7560-E

**MEMORANDUM OPINION AND ORDER**

**Adopted: August 12, 2008**

**Released: August 13, 2008**

By the Associate Chief, Media Bureau:

**I. INTRODUCTION AND BACKGROUND**

1. Time Warner Cable Inc., and Time Warner Entertainment-Advance/Newhouse Partnership, hereinafter referred to as “Petitioner,” has filed with the Commission petitions pursuant to Sections 76.7, 76.905(b)(2), 76.905(b)(1) and 76.907 of the Commission’s rules for a determination that Petitioner is subject to effective competition in the 754 communities listed on Attachment A and hereinafter referred to as “Communities.” Petitioner alleges that its cable systems serving the communities listed on Attachment B and hereinafter referred to as Attachment B Communities, as well as the communities listed in Attachment C and hereinafter referred to as Attachment C Communities, are subject to effective competition pursuant to Section 623(1) of the Communications Act of 1934, as amended (“Communications Act”)<sup>1</sup> and the Commission’s implementing rules,<sup>2</sup> and are therefore exempt from cable rate regulation in the Communities because of the competing service provided by two direct broadcast satellite (“DBS”) providers, DirecTV, Inc. (“DirecTV”) and Dish Network (“Dish”). Petitioner

<sup>1</sup>See 47 U.S.C. § 543(a)(1).

<sup>2</sup>47 C.F.R. § 76.905(b)(2) and 47 C.F.R. § 76.905(b)(1).

additionally claims to be exempt from cable rate regulation in the Communities listed on Attachment D and hereinafter referred to as the Attachment D Communities because the Petitioner serves fewer than 30 percent of the households in the franchise area. The petitions are unopposed.

2. In the absence of a demonstration to the contrary, cable systems are presumed not to be subject to effective competition,<sup>3</sup> as that term is defined by Section 623(l) of the Communications Act and Section 76.905 of the Commission's rules.<sup>4</sup> The cable operator bears the burden of rebutting the presumption that effective competition does not exist with evidence that effective competition is present within the relevant franchise area.<sup>5</sup> For the reasons set forth below, we grant the petitions as to all of the Attachment B and Attachment D Communities, which number 398 and 128, respectively, based on our finding that Petitioner is subject to effective competition in them, and we deny the petitions as to the Attachment C Communities, which number 226, and further deny two other Communities (Clinton and Bethany, NY) that are included only on Attachment A, for the reasons stated in paragraphs 3 and 10 below.

## II. PRELIMINARY MATTER

3. At the outset, we address three Communities concerning which Petitioner has not submitted any data or sufficient data. First, in the title of its Petition in CSR 7405-E, Petitioner inadvertently listed two Communities for which it did not file any supporting data. These are the Towns of Varick and Waterloo, New York. Petitioner has requested that these two areas be withdrawn from consideration in this proceeding,<sup>6</sup> and we grant that request. They are not listed on any Attachment. Second, in CSR 7499-E, Petitioner claims that effective competition exists in the Clinton, New York (NY0074) franchise area, but submits no supporting data concerning subscribership there.<sup>7</sup> Accordingly, we deny the Petition in 7499-E for the Clinton, New York, franchise area, which is listed only on Attachment A.

## III. DISCUSSION

### A. The Competing Provider Test

4. Section 623(l)(1)(B) of the Communications Act provides that a cable operator is subject to effective competition if the franchise area is (a) served by at least two unaffiliated multi-channel video programming distributors ("MVPD") each of which offers comparable video programming to at least 50 percent of the households in the franchise area; and (b) the number of households subscribing to programming services offered by MVPDs other than the largest MVPD exceeds 15 percent of the households in the franchise area;<sup>8</sup> this test is otherwise referred to as the "competing provider" test.

5. The first prong of this test has three elements: the franchise area must be "served by" at least two unaffiliated MVPDs who offer "comparable programming" to at least "50 percent" of the households in the franchise area.<sup>9</sup>

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<sup>3</sup>47 C.F.R. § 76.906.

<sup>4</sup>See 47 U.S.C. § 543(l) and 47 C.F.R. § 76.905.

<sup>5</sup>See 47 C.F.R. §§ 76.906 & 907.

<sup>6</sup>E-mail from Craig Gilley, Esq., Fleischman & Harding LLP, counsel for Time Warner, to Nissa Laughner, Esq., Commission Attorney, Sept. 19, 2007, 11:51 A.M.

<sup>7</sup>Petition in CSR 7499-E, Exhs. A, E, F.

<sup>8</sup>47 U.S.C. § 543(1)(1)(B); see also 47 C.F.R. § 76.905(b)(2).

<sup>9</sup>47 C.F.R. § 76.905(b)(2)(i).

6. Turning to the first prong of this test, it is undisputed that Attachment B and Attachment C Communities are “served by” both DBS providers, DIRECTV and Dish, and that these two MVPD providers are unaffiliated with Petitioner or with each other. A franchise area is considered “served by” an MVPD if that MVPD’s service is both technically and actually available in the franchise area. DBS service is presumed to be technically available due to its nationwide satellite footprint, and presumed to be actually available if households in the franchise area are made reasonably aware of the service’s availability.<sup>10</sup> The Commission has held that a party may use evidence of penetration rates in the franchise area (the second prong of the competing provider test discussed below) coupled with the ubiquity of DBS services to show that consumers are reasonably aware of the availability of DBS service.<sup>11</sup> We further find that Petitioner has provided sufficient evidence of DBS advertising in local, regional, and national media that serve the Attachment B and Attachment C Communities to support their assertion that potential customers in the Attachment B and Attachment C Communities are reasonably aware that they may purchase the service of these MVPD providers.<sup>12</sup> The “comparable programming” element is met if a competing MVPD provider offers at least 12 channels of video programming, including at least one channel of nonbroadcast service programming<sup>13</sup> and is supported in this petition with citations to the channel lineups for both DIRECTV and Dish.<sup>14</sup> Also undisputed is Petitioner’s assertion that both DIRECTV and Dish offer service to at least “50 percent” of the households in the Attachment B and Attachment C Communities because of their national satellite footprint.<sup>15</sup> Accordingly, we find that the first prong of the competing provider test is satisfied as to both Attachment B and Attachment C Communities.

7. The second prong of the competing provider test requires that the number of households subscribing to MVPDs, other than the largest MVPD, exceed 15 percent of the households in a franchise area. Petitioner asserts that it is the largest MVPD in all but 117 of the Attachment B and the Attachment C Communities.<sup>16</sup> Petitioner sought to determine the competing provider penetration in these Communities by purchasing a subscriber tracking report from the Satellite Broadcasting and Communications Association (“SBCA”) that identified the number of subscribers attributable to the DBS providers within these Communities on a five-digit zip code basis.<sup>17</sup>

8. In circumstances where the largest MVPD is unable to be identified,<sup>18</sup> the Commission can determine that the second prong is met when it finds that the number of households subscribing to the DBS providers and the petitioning cable operator each exceeds 15 percent of the households in the

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<sup>10</sup>See Petition in CSR 7234-E at 3-5; Petition in CSR 7235-E at 3-5; Petition in CSR 7369-E at 3-5.

<sup>11</sup>Mediacom Illinois LLC et al., Eleven Petitions for Determination of Effective Competition in Twenty-Two Local Franchise Areas in Illinois and Michigan, 21 FCC Rcd 1175 (2006).

<sup>12</sup>47 C.F.R. § 76.905(e)(2).

<sup>13</sup>See 47 C.F.R. § 76.905(g). See also Petition in CSR 7370-E at 5-6; Petition in CSR 7372-E at 5-6; Petition in CSR 7386-E at 5.

<sup>14</sup>See Petition in CSR 7388-E at 4 n.12; Petition in CSR 7404-E at 4 n.12; Petition in CSR 7405-E at 5; Petition in CSR 7483-E at 5 n.12.

<sup>15</sup>See Petition at in CSR 7491-E at 2-3; Petition in CSR 7494-E at 2-3; Petition in CSR 7497-E at 2-3.

<sup>16</sup>See Petition in CSR 7499-E at 7; CSR 7501-E at 8; Petition in CSR 7536-E at 7.

<sup>17</sup>Petition in CSR 7556-E at Exh. D; Petition in CSR 7557-E at Exh. D.

<sup>18</sup>The largest MVPD may be unable to be identified if the data that the petitioner submits in support of the number of households subscribing to the two DBS providers combined have a larger number of households subscribing to their service relative to the cable operator’s reported subscriber count. Without a breakdown of the DBS subscriber count between the two DBS providers, it is possible that the largest MVPD is either of the two DBS providers or the petitioner.

franchise area. First, we assume that Petitioner is the largest MVPD provider in the Community and determine that the combined DBS subscribership is greater than 15 percent; we then assume that one of the DBS providers is the largest MVPD in the Community and determine whether Petitioner's subscribership is greater than 15 percent. When both exceed 15 percent, then the second prong of the competing provider test is met. Petitioner's data in Attachment B and Attachment C show that both these determinations can be made for all 117 of the Communities not covered under paragraph 7 above.

9. Based upon the aggregate DBS subscriber penetration levels that were calculated using Census 2000 household data,<sup>19</sup> as reflected in Attachment B and Attachment C, we find that Petitioner has demonstrated that the number of households subscribing to programming services offered by MVPDs, other than the largest MVPD, exceeds 15 percent of the households in both the Attachment B and Attachment C Communities. Therefore, the second prong of the competing provider test is satisfied for each of the Attachment B and Attachment C Communities.

10. Attachment C, however, lists 226 Communities in which Petitioner's data show that the combined subscribership of the DBS Providers and Petitioner exceed 100 percent of the households. In 37 of the Attachment C Communities, Petitioner's data show its own subscribership alone exceeding 100 percent of the households. This data is obviously inaccurate and unreliable. It may be that the excessive subscribership totals result from the combined application of very small populations (in most of the Attachment C Communities, there are only a few hundred households) and five-digit zip codes that cover large areas and many households outside the franchise area. Nevertheless, we cannot disregard these inaccuracies, which Petitioner should have noticed and brought to our attention, because it undermines the reliability of the five-digit zip code data in these instances. We deny the petitions as to the 226 Attachment C Communities, without prejudice to their being re-filed with calculations based on nine-digit zip code data.

11. Based on the foregoing, we conclude that Petitioner has submitted sufficient evidence demonstrating that both prongs of the competing provider test are satisfied and reliable for purposes of concluding that Petitioner is subject to effective competition only as to the Attachment B Communities.

12. Furthermore, as a result of our finding in paragraph 10 above that the five-digit zip data may, under certain circumstances, be unreliable, as reflected in a Public Notice released today and effective September 1, 2008<sup>20</sup>, we will require petitioners that file effective competition petitions based on the competing provider test<sup>21</sup> to include calculations based on nine-digit zip code data.

## **B. The Low Penetration Test**

13. Section 623(l)(1)(A) of the Communications Act provides that a cable operator is subject to effective competition if the Petitioner serves fewer than 30 percent of the households in the franchise area; this test is otherwise referred to as the "low penetration" test.<sup>22</sup> Petitioner alleges that it is subject to effective competition under the low penetration effective competition test because it serves less than 30 percent of the households in the franchise area.

14. Based upon the subscriber penetration level calculated by Petitioner, as reflected in Attachment D, we find that Petitioner has demonstrated the percentage of households subscribing to its

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<sup>19</sup>Petition in CSR 7557-E at Exh. C; Petition in CSR 7559-E at Exh. C.

<sup>20</sup> Public Notice, *Commission Announces New Standards for Showings of Effective Competition for Cable Service*, DA 08-1892, released August 13, 2008.

<sup>21</sup> 47 C.F.R. § 76.905(b)(2).

<sup>22</sup> 47 U.S.C. § 543(l)(1)(A).

cable service is less than 30 percent of the households in the Attachment D Communities. Therefore, the low penetration test is also satisfied as to the Attachment D Communities.

15. In CSR 7406-E, in the Bethany, New York , franchise area (CUID NY1540), Petitioner claims to be subject to competing provider effective competition based on evidence of 636 households and 95.40 DBS subscribers there. Using those numbers, Petitioner claims DBS subscribership of exactly 15 percent.<sup>23</sup> We choose to round off numbers of DBS subscribers in Bethany to the nearest whole number because there cannot be 40/100 of a subscriber. Thus, our calculations show DBS penetration in Bethany to be 14.94 percent (95 ÷ 636). This is insufficient to show competing provider effective competition. Even 15 percent penetration would be insufficient under the Communications Act, which requires subscribership that “exceeds fifteen percent.”<sup>24</sup> Furthermore, Petitioner’s data show its own subscribership in Bethany to be 41.82 percent,<sup>25</sup> which far exceeds the permissible threshold for showing “low penetration” effective competition.<sup>26</sup> Accordingly, we deny Petitioner’s Petition in CSR 7406-E for the Bethany, New York, franchise area, which is listed only on Attachment A.

### III. ORDERING CLAUSES

16. Accordingly, **IT IS ORDERED** that the petitions for a determination of effective competition filed in the captioned proceeding by Time Warner Cable Inc., and Time Warner Entertainment-Advance/Newhouse Partnership **ARE GRANTED** as to the Communities listed in Attachment B and Attachment D and **ARE DENIED** as to the Communities listed in Attachment C and paragraphs 3 (Clinton, New York) and 15 (Bethany, New York) above.

17. **IT IS FURTHER ORDERED** that the request that the Towns of Varick and Waterloo, New York be withdrawn from consideration in this proceeding **IS GRANTED**.

18. **IT IS FURTHER ORDERED** that the certification to regulate basic cable service rates granted to any of the Communities set forth on Attachment B and Attachment D **IS REVOKED**.

19. This action is taken pursuant to delegated authority pursuant to Section 0.283 of the Commission’s rules.<sup>27</sup>

FEDERAL COMMUNICATIONS COMMISSION

Nancy Murphy  
Associate Chief, Media Bureau

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<sup>23</sup>Petition in CSR 7406-E, Exh. E at 1.

<sup>24</sup>47 U.S.C. § 543 (l)(1)(B)(ii). Using Petitioner’s data, DBS penetration in Bethany is precisely 15 percent (95.4 ÷ 636).

<sup>25</sup>*Petition* in CSR 7406-E, Exh. A at 1.

<sup>26</sup>*See supra* ¶ 13.

<sup>27</sup>47 C.F.R. § 0.283.

## ATTACHMENT A

ALL COMMUNITIES

CSR 7234-E, CSR 7235-E, CSR 7236-E, CSR 7369-E, CSR 7370-E, CSR 7372-E, CSR 7385-E, CSR 7386-E, CSR 7388-E, CSR 7404-E, CSR 7405-E, CSR 7406-E, CSR 7483-E, CSR 7491-E, CSR 7492-E, CSR 7494-E, CSR 7497-E, CSR 7499-E, CSR 7501-E, CSR 7536-E, CSR 7555-E, CSR 7556-E, CSR 7557-E, CSR 7559-E, CSR 7560-E

**COMMUNITIES SERVED BY TIME WARNER CABLE INC., AND TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE PARTNERSHIP**

<b>Communities</b>	<b>CUID(S)</b>
<b>CSR 7234-E</b>	
Chester	NY1249
Crown Point	NY1492
Fort Ann (town)	NY1357, NY1747
Fort Ann (village)	NY1020
Hague	NY1247
Horicon	NY1250
Moriah	NY1119
Port Henry	NY1120
Putnam	NY1248
Schroon	NY1150
Ticonderoga	NY1538
Warrensburg	NY0389
Whitehall (town)	NY1539
Whitehall (village)	NY0098
<b>CSR 7235-E</b>	
Ames	NY1680
Canajoharie (town)	NY1498
Canajoharie (village)	NY0253
Fort Plain	NY0254
Minden	NY1494
Nelliston	NY0255
Palatine	NY1497
Palatine Bridge	NY0257
St. Johnsville (town)	NY1499
St. Johnsville (village)	NY0258
<b>CSR 7236-E</b>	
Argyle (town)	NY1690
Argyle (village)	NY1691
Corinth (town)	NY0957
Corinth (village)	NY0693
Day	NY1562
Edinburg	NY1561
Fort Edward (town)	NY0536
Fort Edward (village)	NY0541
Granville (town)	NY0280
Granville (village)	NY0279
Hadley	NY1322
Hartford	NY1485
Hudson Falls	NY0537
Kingsbury	NY0535

<b>Communities</b>	<b>CUID(S)</b>
<b>CSR 7236-E (continued)</b>	
Lake Luzerne	NY0694
Northampton	NY1098
Northville	NY0971
<b>CSR 7369-E</b>	
Chautauqua	NY1242
Mayville	NY1241
North Harmony	NY1508
Ripley	NY1243
Sherman (town)	NY1507
Sherman (village)	NY1510
Westfield (town)	NY1239
Westfield (village)	NY1240
<b>CSR 7370-E</b>	
Dunkirk (city)	NY0314
Dunkirk (town)	NY0978
Forestville	NY1212
Hanover	NY1213
Pomfret	NY1164
Portland	NY1433, NY1509
Sheridan	NY1087
Silver Creek	NY1214
<b>CSR 7372-E</b>	
Buffalo	NY0117
<b>CSR 7385-E</b>	
Berne	NY1567
Cambridge (town)	NY1106
Cambridge (village)	NY0992
Cherry Valley (town)	NY1231
Cherry Village (village)	NY1232
Cobleskill (town)	NY0986
Cobleskill (village)	NY0987
Coeymans	NY0677
Delanson	NY1304
Duanesburg	NY1305
Easton	NY1093
Esperance (town)	NY1233
Esperance (village)	NY1303
Florida	NY0770
Fonda	NY0696
Fort Johnson	NY0455
Fultonville	NY0695
Glen	NY1609
Greenwich (town)	NY1026, NY1742
Greenwich (village)	NY0995
Hoosick	NY1117
Hoosick Falls	NY1118
Jackson	NY1073
Johnstown (town)	NY0934
Kinderhook (town)	NY0778
Knox	NY1566
Middleburgh (town)	NY1238

<b>Communities</b>	<b>CUID(S)</b>
<b>CSR 7385-E (continued)</b>	
Middleburgh (village)	NY0069
Mohawk	NY0678
Nassau (town)	NY1313
Nassau (village)	NY0979
Richmondville (town)	NY0989
Richmondville (village)	NY0988
Root	NY1594, NY1646
Salem (town)	NY1072
Salem (village)	NY0991
Schaghticoke (town)	NY0796
Schaghticoke (village)	NY0996
Schoharie (town)	NY0984
Schoharie (village)	NY0985
Schuylerville	NY0993
Seward	NY1235
Sharon	NY1236
Sharon Springs	NY1237
Stuyvesant	NY1012
Valatie	NY0776
Valley Falls	NY1167
Victory	NY0994
Wright	NY1586
<b>CSR 7386-E</b>	
Barrington (town)	NY1396
Benton (town)	NY0214
Dresden (village)	NY1331
Gorham (town)	NY1398
Hammondsport (village)	NY1095
Italy (town)	NY1391
Jerusalem (town)	NY1390
Middlesex (town)	NY1505
Milo (town)	NY0216
Penn Yan (village)	NY0217
Prattsburgh (town)	NY1392
Pulteney (town)	NY1388
Rushville (village)	NY1399, NY1752
Tyrone (town)	NY1397
Urbana (town)	NY1387
Wayne (town)	NY1395
Wheeler (town)	NY1610, NY1398
<b>CSR 7388-E</b>	
Byron (town)	NY1486
Churchville (village)	NY0943
Clarendon (town)	NY1472
Hilton (village)	NY1085
Riga	NY1283
<b>CSR 7404-E</b>	
Amherst	NY0353
Angola	NY1512
Arcade (town)	NY0859
Arcade (village)	NY0858
Aurora	NY1224

Communities	CUID(S)
<b>CSR 7404-E (continued)</b>	
Barker	NY1428
Blasdell	NY0318
Boston	NY1101
Brant	NY1549
Cambria	NY1400
Cheektowaga	NY0319
Clarence	NY0854
Colden	NY1341
Collins	NY1295
Concord	NY1160
Delevan	NY0862
Depew	NY0620
East Aurora	NY1223
Eden	NY1102
Elma	NY1225
Evans	NY1511
Farnham	NY1550
Freedom	NY1156
Gowanda	NY1301, NY1302
Grand Island	NY0899
Hamburg (town)	NY0321
Hamburg (village)	NY0642
Holland	NY1309
Kenmore	NY0591
Lackawanna	NY0317
Lancaster (town)	NY1109
Lancaster (village)	NY0730
Lewiston (town)	NY0312
Lewiston (village)	NY0313
Lockport (city)	NY0798
Lockport (town)	NY0797
Machias	NY0861
Newfane	NY1108
Niagra	NY0434
Niagra Falls	NY0435
North Collins (town)	NY1296
North Collins (village)	NY1297
North Tonawanda	NY0724
Orchard Park (town)	NY0875
Orchard Park (village)	NY0874
Pendelton	NY1259
Perrysburg (town)	NY1298
Perrysburg (village)	NY1300
Persia	NY1299
Porter	NY0706
Sardinia	NY1155
Sloan	NY0351
Somerset	NY1427
Springville	NY1161
Tonawanda (city)	NY0747
Tonawanda (town)	NY0590
Wales	NY1383
West Seneca	NY0320
Wheatfield	NY1027
Williamsville	NY0354

<b>Communities</b>	<b>CUID(S)</b>
<b>CSR 7404-E (continued)</b>	
Wilson (town)	NY1272
Wilson (village)	NY1271
Yorkshire	NY0863
Youngstown	NY0727
<b>CSR 7405-E</b>	
Arcadia	NY1253
Aurelius	NY1077
Aurora	NY1078
Bloomfield	NY1686
Bristol	NY1522
Canadice	NY1518
Canandaigua (city)	NY0551
Canandaigua (town)	NY0563
Cayuga	NY1079
Clifton Springs	NY0676
Clyde	NY0347
Covert	NY1176
East Bloomfield	NY0806
Farmington	NY0609
Galen	NY1255
Hopewell	NY0656
Huron	NY1128
Interlaken	NY1181
Ledyard	NY1080
Lodi (town)	NY1175
Lodi (village)	NY1179
Lyons (town)	NY1254
Lyons (village)	NY0348
Macedon (town)	NY1060
Macedon (village)	NY1059
Manchester (town)	NY0654
Marion	NY0798
Naples (town)	NY1652
Naples (village)	NY0606
Ovid (town)	NY1177
Ovid (village)	NY1180
Palmyra (town)	NY1256
Palmyra (village)	NY0350
Phelps (town)	NY0767
Phelps (village)	NY0768
Red Creek	NY1130
Richmond	NY1513
Romulus	NY1174
Rose	NY1127
Savannah	NY1329
Seneca Falls (town)	NY0384
Seneca	NY0499
Shortsville	NY0592
Sodus (town)	NY0359
Sodus (village)	NY0785
South Bristol	NY0705
Springport	NY1082
Union Springs	NY1081
Victor (town)	NY0655, NY0608

<b>Communities</b>	<b>CUID(S)</b>
<b>CSR 7405-E (continued)</b>	
Walworth	NY1061
Waterloo (village)	NY0228
Williamson	NY0786
Wolcott (town)	NY1126
Wolcott (village)	NY1129
<b>CSR 7406-E</b>	
Akron	NY1266
Alabama	NY1657
Albion (town)	NY1276
Albion (village)	NY1024
Adlen (town)	NY1275
Alden (village)	NY1218
Alexander (village)	NY0894
Attica (town)	NY1091
Attica (village)	NY0892
Avon (town)	NY0998
Avon (village)	NY0999
Barre	NY1615
Bennington	NY1598
Bergen (town)	NY1049
Bergen (village)	NY0878
Bethany	NY1540
Caledonia (town)	NY0889
Caledonia (village)	NY0890
Caneadea	NY1445
Carlton	NY1535
Castile (town)	NY1111
Castile (village)	NY1113
Conesus	NY1257
Corfu	NY0997
Covington	NY1639
Darien	NY1597
Elba (town)	NY0896
Elba (village)	NY0922
Gaines	NY1581
Gainesville (town)	NY1267
Gainesville (village)	NY1268
Genesee Falls	NY1316
Geneseo (town)	NY1258
Geneseo (village)	NY1131
Groveland	NY1491
Hartland	NY1325
Honeoye Falls	NY0944
Hume	NY1334
Java	NY1687
Leicester (town)	NY1048
Leicester (village)	NY1000
LeRoy (town)	NY0888
LeRoy (village)	NY0897
Lima (town)	NY1001
Lima (village)	NY0946
Livonia (town)	NY1002
Livonia (village)	NY0945
Lyndonville	NY1265

<b>Communities</b>	<b>CUID(S)</b>
<b>CSR 7406-E (continued)</b>	
Marilla	NY1314
Medina	NY1023
Middlebury	NY1600
Middleport	NY1219
Mount Morris (town)	NY1326
Mount Morris (village)	NY1051
Newstead	NY1327
Nunda (town)	NY1200
Nunda (village)	NY1335
Oakfield (town)	NY0923
Oakfield (village)	NY0914
Orangeville	NY1654
Pavilion	NY1328
Pembroke	NY1050
Perry (town)	NY1110
Perry (village)	NY1112
Pike (town)	NY1655
Pike (village)	NY1656
Portage	NY1317
Ridgeway	NY1315
Royalton	NY1394
Rush	NY1173
Scottsville	NY0954
Shelby	NY1294
Sheldon	NY1616
Silver Springs	NY1269
Warsaw (town)	NY1699
Warsaw (village)	NY0558
West Bloomfield	NY1114
Wheatland	NY0952
Wyoming	NY1599
Yates	NY1293
York	NY1003
<b>CSR 7483-E</b>	
Bethel	NY0621
Blooming Grove	NY0502
Bloomingburg	NY0718
Callicoon	NY0524
Catskill	NY0632
Chester	NY1648
Cochecton	NY1558
Colchester	NY1292
Crawford	NY0514
Deerpark	NY0218
Delaware	NY0488
Ellenville	NY0437
Fallsburg	NY0441
Forestburg	NY1115
Fremont	NY1324
Gardiner	NY0766
Goshen (town)	NY0845
Goshen (village)	NY0846
Hamptonburgh	NY1090
Highland	NY0597

<b>Communities</b>	<b>CUID(S)</b>
<b>CSR 7483-E (continued)</b>	
Highlands	NY0819
Hunter (town)	NY0698
Hunter (village)	NY0699
Jeffersonville	NY0161
Jewett	NY1450
LaGrange	NY0220
Liberty (town)	NY0464
Liberty (village)	NY0198
Lloyd	NY1291
Lumberland	NY1377
Mamakating	NY0439
Marbletown (town)	NY0729, NY0494
Marlborough	NY0400
Maybrook	NY0547
Middletown	NY0821
Montgomery (town)	NY0484
Montgomery (village)	NY0492
Mount Hope	NY1089
Neversink	NY0472
New Windsor	NY0246
Newburgh (city)	NY0248
Newburgh (town)	NY0247, NY0602
Otisville	NY1088
Olive	NY0473
Plattekill	NY1290
Port Jervis	NY0219
Red Hook (town)	NY0478
Red Hook (village)	NY0477
Rhinebeck (town)	NY0479
Rhinebeck (village)	NY0480
Rochester	NY0438
Rockland	NY0225
Shandaken	NY0556
Tannersville	NY0697
Shawangunk	NY0515
Thompson	NY0628
Tivoli	NY0362
Tusten	NY0507
Walden	NY0513
Wallkill	NY0717
Washingtonville	NY0503
Wawarsing	NY0436
Wawayanda	NY0970
Wurtsboro	NY0719
<b>CSR 7491-E</b>	
Auburn (city)	NY0040
Fleming (town)	NY0784
Owasco (town)	NY0553
Sennett (town)	NY0844
Skaneateles (village)	NY0867
Spafford (town)	NY1165
Throop (town)	NY1166

<b>Communities</b>	<b>CUID(S)</b>
<b>CSR 7492-E</b>	
Candor (town)	NY0679
Candor (village)	NY0087
Covert (township)	NY1525
Dryden (village)	NY0114
Freeville (village)	NY0622
Groton (town)	NY0578
Groton (village)	NY0212
Newfield	NY0095
Trumansburg (village)	NY0579
Ulysses (town)	NY0096
<b>CSR 7494-E</b>	
Franklin (town)	NY1611
Harrietstown (town)	NY0550
Santa Clara (town)	NY1704
St. Armand (town)	NY0543
Tupper Lake (town, formerly known as Town of Altamont)	NY0549
Tupper Lake (village)	NY0003
<b>CSR 7497-E</b>	
Cincinnatus (town)	NY1386
Cortlandville (town)	NY0467
Georgetown (town)	NY1410
Homer (town)	NY0465
Homer (village)	NY0115
McGraw (village)	NY0016
Otselic (town)	NY1409
Pitcher (town)	NY1141
Preble (town)	NY1385
Scott (town)	NY1477
Taylor (town)	NY1412
Virgil (town)	NY1678
Willet (town)	NY1745
<b>CSR 7499-E</b>	
Barneveld (village)	NY1206
Clayville (village)	NY0572
Clinton (village)	NY0074
Cold Brook (village)	NY0964
Fairfield (town)	NY0674
Forestport (town)	NY1479
Inlet (town)	NY1692
Litchfield (town)	NY1632, NY1645
Newport (town)	NY0959
Newport (village)	NY0962
Paris (town)	NY0081
Poland (village)	NY0965
Prospect	NY1207
Remsen (town)	NY1205
Remsen (village)	NY0972
Russia (town)	NY0960
Trenton (town)	NY0958, NY1993
Webb(town)	NY1693

<b>Communities</b>	<b>CUID(S)</b>
<b>CSR 7501-E</b>	
Bridgewater (town)	NY1069
Bridgewater (village)	NY0296
Brookfield (town)	NY1478
Burlington (town)	NY1544
Columbia (town)	NY1631
Danube (town)	NY1633
Dolgeville (village)	NY0419
Exeter (town)	NY0956
Frankfort (town)	NY0024
Frankfort (village)	NY0025
German Flats (town)	NY0026
Herkimer (town)	NY0027
Little Falls (city)	NY0030
Manheim (town)	NY0432
Mohawk (village)	NY0034
New Lisbon (town)	NY1578
Plainfield (town)	NY1067
Salisbury (town)	NY1563
West Winfield	NY0162
Winfield (town)	NY1068
<b>CSR 7536-E</b>	
Candor (town)	NY0893
Greene (town)	NY1731
Greene (village)	NY0704
Lisle (town)	NY0832
Lisle (village)	NY0831
Marathon (town)	NY0977
Marathon (village)	NY0829
Newark Valley (village)	NY0680
Owego (village)	NY0267
Tioga (town)	NY0268
Triangle	NY1459
Whitney Point (village)	NY0830
<b>CSR 7555-E</b>	
Alfred (town)	NY0007
Alma (town)	NY1449
Almond (town)	NY1741
Almond (village)	NY0008
Angelica (village)	NY1330
Arkport (village)	NY0039
Avoca (town)	NY1651
Avoca (village)	NY0444
Bath (town)	NY0517
Bath (village)	NY0533
Belfast (town)	NY0573
Bolivar (town)	NY1448
Bolivar (village)	NY0594
Burns (town)	NY1713
Caneseraga (village)	NY1799
Caniesto (town)	NY1636
Caniesto (village)	NY0153
Cohocton (town)	NY1706
Cohocton (village)	NY0595

Communities	CUID(S)
<b>CSR 7555-E (continued)</b>	
Dansville (town)	NY1590, NY1638
Dansville (village)	NY0050
Fremont (town)	NY1635 <sup>28</sup>
Friendship (town)	NY1476
Genesee (town)	NY1708
Groveland (town)	NY1612
Hartsville (town)	NY1637
Hornellsville (town)	NY0490
Jasper (town)	NY1282
North Dansville (town)	NY1587
Richburg (village)	NY0799
Savona (village)	NY0051
Scio (town)	NY1677
Shinglehouse (borough)	PA2544
Sparta (town)	NY1588
Springwater (town)	NY1452
Troupsburg (town)	NY1307
Wayland (town)	NY1591
Wayland (village)	NY0498
West Sparta (town)	NY1641
<b>CSR 7556-E</b>	
Afton (town)	NY1644
Afton (village)	NY0006
Bainbridge (town)	NY1643
Bainbridge (village)	NY0045
Butternuts (town)	NY1137
Cooperstown (village)	NY0054
Coventry (town)	NY1798
Davenport (town)	NY0809
Delhi (town)	NY0119
Delhi (village)	NY0121
Edmeston	NY0975
Exeter (town)	NY1543
Franklin (town)	NY0364
Franklin (village)	NY0649
Gilbertsville (village)	NY0990
Guilford (town)	NY1342, NY1698
Harpersfield (town)	NY0633
Hartwick (town)	NY0976
Hobart (village)	NY0299
Kortright (town)	NY1228
Laurens (town)	NY0207
Maryland (town)	NY1100
Masonville (town)	NY1374
Meredith (town)	NY1136, NY1140
Middlefield (town)	NY0623
Milford	NY0530
Morris (town)	NY0567

<sup>28</sup>Petitioner filed, and we accept, an Erratum to this Petition concerning Fremont (town), by letter from Micah M. Caldwell, Fleischman & Harding, LLP, counsel for Time Warner, to Ms. Monica Shah Desai, Chief, Media Bureau, dated December 10, 2007.

<b>Communities</b>	<b>CUID(S)</b>
<b>CSR 7556-E (continued)</b>	
Morris (village)	NY0566
New Berlin (town)	NY0624
New Berlin (village)	NY0057
North Norwich	NY0555
Norwich (city)	NY0256
Norwich (town)	NY0554
Otego (town)	NY0294
Otego (village)	NY0405
Otsego (town)	NY0626
Oxford (town)	NY0646
Oxford (village)	NY0058
Pittsfield (town)	NY0627
Plymouth (town)	NY0542
Richfield (town)	NY0236
Richfield Springs (village)	NY0648
Sidney (town)	NY0233
Springfield (town)	NY0692
Stamford (town)	NY0071
Stamford (village)	NY1227
Unadilla (town)	NY0232
Unadilla (village)	NY0231
Walton (town)	NY0264
Walton (village)	NY0659
Worcester (town)	NY1350
<b>CSR 7557-E</b>	
Brutus (town)	NY0955
Cato (town)	NY1501
Cato (village)	NY1503
Cazenovia (town)	NY1014
Cazenovia (village)	NY1013
Cuyler (town)	NY1456
DeRuyter (town)	NY1439
DeRuyter (village)	NY1440
Elbridge (town)	NY0883
Fabius (town)	NY1470
Fabius (village)	NY1471
Fair Haven (village)	NY1622
Fenner (town)	NY1714
Hannibal (village)	NY1169
Hastings (town)	NY1260
Ira (town)	NY1504
Jordan (village)	NY0882
Lacona (village)	NY1198
Lafayette (town)	NY0881
Marcellus (town)	NY0847
Mentz (town)	NY1366
Meridian (village)	NY1502
Mexico (town)	NY1261
Mexico (village)	NY0950
Minoa (village)	NY0331
Nelson (town)	NY1015
Orwell (town)	NY1712
Otisco (town)	NY1533
Palermo (town)	NY1624

Communities	CUID(S)
<b>CSR 7557-E (continued)</b>	
Parish (town)	NY1404
Parish (village)	NY1405
Pompey (town)	NY1057
Port Byron (village)	NY0981
Preble (town)	NY1739
Pulaski (village)	NY0949
Richland (town)	NY1195
Sandy Creek (town)	NY1262
Sandy Creek (village)	NY1197
Skaneateles (town)	NY0866, NY1211
Sterling (town)	NY1619
Truxton (town)	NY1457
Tully (town)	NY1368
Tully (village)	NY1194
Weedsport (village)	NY0915
<b>CSR 7559-E</b>	
Annsville (town)	NY1139
Augusta (town)	NY1716
Ava (town)	NY1602
Boonville (town)	NY0702
Boonville (village)	NY0476
Camden (town)	NY1352
Camden (village)	NY0947
Canastota (village)	NY0574
Cleveland (village)	NY1286
Constableville (village)	NY0504
Constantia (town)	NY1285
Earlville (village)	NY0876, NY0877
Eaton (town)	NY1121
Fenner (town)	NY1683
Hamilton (town)	NY0967
Hamilton (village)	NY0841
Holland Patent (village)	NY1138
Kirkland (town)	NY0076, NY1715
Lebanon (town)	NY1122
Lenox (town)	NY0576
Lewis (town)	NY1603
Leyden (town)	NY0519
Lyons Falls (village)	NY0475
Lyonsdale (town)	NY0521
Madison (town)	NY0827
Madison (village)	NY0825
Marshall (town)	NY0826
Morrisville (village)	NY0907
Munnsville (village)	NY0598
Oriskany Falls (village)	NY0394
Port Leyden (village)	NY0474
Sangerfield (town)	NY0828
Sherburne (town)	NY1199
Sherburne (village)	NY1070
Smithfield (town)	NY1744
Smyrna (town)	NY1640
Smyrna (village)	NY0966
Stockbridge (town)	NY0599

Communities	CUID(S)
<b>CSR 7559-E (continued)</b>	
Sylvan Beach (village)	NY1105
Trenton (town)	NY1193
Turin (town)	NY1515
Turin (village)	NY1719
Vienna (town)	NY1196
Waterville (village)	NY0396
West Monroe (town)	NY1284
West Turin (town)	NY0520
<b>CSR 7560-E</b>	
Adams (town)	NY0586
Adams (village)	NY0587
Albion (town)	NY1738
Alexandria (town)	NY1528
Altmar (village)	NY1736
Altona (town)	NY1618
Antwerp (town)	NY1360 <sup>29</sup>
Antwerp (village)	NY1361
Bangor (town)	NY0199
Bombay (town)	NY1627
Brushton (village)	NY0200
Burke (town)	NY0303
Burke (village)	NY0302
Canton (town)	NY0022
Canton (village)	NY0023
Cape Vincent (town)	NY1420
Cape Vincent (village)	NY1421
Carthage (village)	NY0064
Castorland (village)	NY1018
Champion (town)	NY0062
Champlain (town)	NY1031
Champlain (village)	NY1030
Chateaugay (town)	NY0304
Chateaugay (village)	NY0301
Chaumont (village)	NY1344
Chazy (town)	NY1210
Clayton (village)	NY1346
Colton (town)	NY0813
Constable (town)	NY0885
Copenhagen (village)	NY1437
Croghan (town)	NY1016
Croghan (village)	NY1017
Dekalb (town)	NY1530
Denmark (town)	NY1438
Dexter (village)	NY1347
Diana (town)	NY1373
Ellenburg (town)	NY1617
Ellisburg (town)	NY1465

<sup>29</sup> Petitioner filed, and we accept, an Erratum to this Petition concerning the Town and the Village of Antwerp, by letter from Micah M. Caldwell, Fleischman & Harding, LLP, counsel for Time Warner, to Ms. Monica Shah Desai, Chief, Media Bureau, dated August 28, 2007.

Communities	CUID(S)
<b>CSR 7560-E (continued)</b>	
Ellisburg (village)	NY1514
Evans Mills (village)	NY1364
Fort Covington (town)	NY0801
Fowler (town)	NY0099
Gouverneur (town)	NY0100
Gouverneur (village)	NY0101
Greig (town)	NY1553
Harrisville (village)	NY1371
Henderson (town)	NY1700
Hermon (town)	NY1620
Hermon (village)	NY1623
Herrings (village)	NY0065
Heuvelton (village)	NY0292
Hopkinton (town)	NY1625
Lawrence (town)	NY0725
LeRay (town)	NY0143, NY1365
Lisbon (town)	NY0812
Lorraine (town)	NY1737
Lowville (town)	NY1444
Lowville (village)	NY0235
Lyme (town)	NY1348
Madrid (town)	NY0886
Malone (town)	NY0201
Malone (village)	NY0202
Mannsville (village)	NY1466
Martinsburg (town)	NY1544
Massena (town)	NY0032
Moira (town)	NY0203
Mooers (town)	NY1369
Morristown (town)	NY0930
Morristown (village)	NY0931
New Bremen (town)	NY1019
Norwood (village)	NY0036
Ogdensburg (city)	NY0205
Orleans (town)	NY1495
Oswegatchie (town)	NY0206
Parishville (town)	NY0756
Pharsalia (town)	NY1743
Philadelphia (town)	NY1358
Philadelphia (village)	NY1359
Pierrepoint (town)	NY0544
Pitcairn (town)	NY1372
Potsdam (town)	NY0037
Rensselaer Falls (village)	NY1532
Richville (village)	NY1529
Rodman (town)	NY1442
Rouses Point (village)	NY1029
Russell (town)	NY1621
Sackets Harbor (village)	NY1349
Stockholm (town)	NY0528
Theresa (town)	NY1362
Theresa (village)	NY1363
Waddington (town)	NY0810
Waddington (village)	NY0811
Watson (town)	NY1555

<b>Communities</b>	<b>CUID(S)</b>
<b>CSR 7560-E (continued)</b>	
West Carthage (village)	NY0066
Westville (town)	NY0802
Wilna (town)	NY0067

**ATTACHMENT B****“COMPETING PROVIDER” COMMUNITIES - GRANTED**

**CSR 7234-E, 7235-E, 7236-E, 7369-E, 7370-E, 7372-E, 7385-E, 7386-E, 7388-E, 7404-E, 7405-E, 7406-E, 7483-E, 7491-E, 7492-E, 7494-E, 7497-E, 7499-E, 7501-E, 7536-E, 7555-E, 7556-E, 7557-E, 7559-E, 7560-E**

**COMMUNITIES SERVED BY TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE PARTNERSHIP AND TIME WARNER CABLE INC.**

<b>Communities</b>	<b>CUID(S)</b>	<b>CPR*</b>	<b>2000 Census Households</b>	<b>Estimated DBS Subscribers+</b>
<b>CSR 7234-E</b>				
Crown Point	NY1492	29.45%	797	235
Fort Ann (town)	NY1357	29.45%	1386	342
	NY1747			
Moriah	NY1119	35.82%	1894	678
Warrensburg	NY0389	20.61%	1718	354
<b>CSR 7235-E</b>				
Ames	NY1680	33.29%	68	23
Nelliston	NY0255	27.76%	257	71
<b>CSR 7236-E</b>				
Argyle (town)	NY1690	31.93%	1313	419
Corinth (town)	NY0957	18.65%	2331	435
Corinth (village)	NY0693	20.93%	1024	214
Fort Edward (town)	NY0536	22.56%	2248	507
Fort Edward (village)	NY0541	19.82%	1247	247
Granville (town)	NY0280	38.03%	2411	917
Hadley	NY1322	22.58%	730	165
Hartford	NY1485	41.61%	813	338
Hudson Falls	NY0537	16.28%	2876	468
Lake Luzerne	NY0694	20.48%	1264	259
Northampton	NY1098	21.70%	1163	252
<b>CSR 7369-E</b>				
North Harmony	NY1508	34.12%	927	316
Ripley	NY1243	32.17%	1004	323
Westfield (town)	NY1239	34.51%	2075	716
Westfield (village)	NY1240	29.24%	1367	400
<b>CSR 7370-E</b>				
Dunkirk (city)	NY0314	26.53%	5477	1453
Dunkirk (town)	NY0978	26.53%	519	138
Hanover	NY1213	37.75%	2975	1123
Portland	NY1433	24.22%	1655	401
	NY1509			
Sheridan	NY1087	26.00%	994	258
Silver Creek	NY1214	31.03%	1150	357
<b>CSR 7372-E</b>				
Buffalo	NY0117	17.43%	122720	21389

Communities	CUID(S)	CPR*	2000 Census Households	Estimated DBS Subscribers+
<b>CSR 7385-E</b>				
Berne	NY1567	19.66%	1099	216
Cobleskill (town)	NY0986	22.50%	2270	511
Esperance (town)	NY1233	36.50%	776	283
Florida	NY0770	17.04%	1056	180
Greenwich (town)	NY1026	40.53%	1927	781
	NY1742			
Hoosick	NY1117	46.34%	2620	1214
Jackson	NY1073	34.12%	692	236
Johnstown (town)	NY0934	17.90%	2471	442
Knox	NY1566	18.02%	953	172
Middleburgh (village)	NY0069	28.19%	595	168
Mohawk	NY0678	15.95%	1492	238
Nassau (town)	NY1313	17.00%	1851	315
Richmondville (town)	NY0989	27.72%	968	268
Root	NY1594	41.58%	656	273
	NY1646			
Schaghticoke (town)	NY0796	15.66%	2714	425
Schoharie (town)	NY0984	29.82%	1314	392
Schoharie (village)	NY0985	19.09%	448	85
Seward	NY1235	30.33%	588	178
Stuyvesant	NY1012	18.06%	852	154
Valatie	NY0776	17.24%	584	101
Wright	NY1586	29.30%	569	167
<b>CSR 7386-E</b>				
Barrington (town)	NY1396	29.88%	490	146
Benton (town)	NY0214	19.59%	864	169
Dresden (village)	NY1331	37.07%	116	43
Gorham (town)	NY1398	20.98%	1410	296
Italy (town)	NY1391	43.69%	421	184
Prattsburgh (town)	NY1392	41.25%	809	334
Tyrone (town)	NY1397	32.67%	664	217
Urbana (town)	NY1387	27.72%	1028	285
Wheeler (town)	NY1610	29.77%	437	130
	NY1398			
<b>CSR 7388-E</b>				
Byron (town)	NY1486	18.84%	878	165
Clarendon (town)	NY1472	15.57%	1230	191
Hilton (village)	NY1085	15.39%	2041	314
Riga	NY1283	18.61%	1969	366
<b>CSR 7404-E</b>				
Amherst	NY0353	17.93%	45076	8082
Angola	NY1512	28.72%	844	242
Aurora	NY1224	21.47%	5421	1164
Blasdell	NY0318	22.54%	1201	271
Boston	NY1101	24.68%	2997	740
Brant	NY1549	33.42%	710	237
Cambria	NY1400	30.20%	1995	602
Cheektowaga	NY0319	22.30%	40045	8931
Colden	NY1341	33.96%	1262	429
Collins	NY1295	38.46%	1754	675

Communities	CUID(S)	CPR*	2000 Census Households	Estimated DBS Subscribers+
<b>CSR 7404-E (continued)</b>				
Depew	NY0620	24.52%	6832	1675
Eden	NY1102	26.47%	2855	756
Elma	NY1225	22.84%	4186	956
Evans	NY1511	30.01%	6639	1992
Hamburg (town)	NY0321	22.99%	21999	5057
Hamburg (village)	NY0642	25.58%	4010	1026
Holland	NY1309	37.13%	1332	495
Kenmore	NY0591	21.15%	7071	1496
Lackawanna	NY0317	21.67%	8192	1775
Lancaster (town)	NY1109	21.26%	15053	3201
Lancaster (village)	NY0730	25.84%	4726	1221
Lewiston (town)	NY0312	23.66%	5882	1392
Lockport (city)	NY0798	28.67%	9459	2711
Lockport (town)	NY0797	28.67%	7537	2160
Machias	NY0861	47.72%	906	432
Newfane	NY1108	30.72%	3597	1105
Niagra	NY0434	23.11%	3611	835
Niagra Falls	NY0435	22.17%	24099	5342
North Tonawanda	NY0724	25.45%	13671	3480
Orchard Park (town)	NY0875	23.21%	10277	2385
Perrysburg (village)	NY1300	48.91%	146	71
Porter	NY0706	27.60%	2616	722
Sardinia	NY1155	38.61%	944	364
Sloan	NY0351	21.09%	1680	354
Somerset	NY1427	46.82%	1000	468
Tonawanda (city)	NY0747	21.56%	6741	1453
Tonawanda (town)	NY0590	20.93%	33278	6965
Wales	NY1383	23.67%	1116	264
West Seneca	NY0320	22.19%	18328	4066
Williamsville	NY0354	16.58%	2534	420
Wilson (town)	NY1272	36.70%	2224	816
Wilson (village)	NY1271	33.44%	505	169
Yorkshire	NY0863	42.32%	1670	707
<b>CSR 7405-E</b>				
Arcadia	NY1253	18.69%	5776	1080
Aurelius	NY1077	16.88%	1124	190
Bristol	NY1522	20.33%	895	182
Canadice	NY1518	31.26%	774	242
Canandaigua (city)	NY0551	18.00%	4762	857
Clifton Springs	NY0676	20.71%	869	180
Farmington	NY0609	16.23%	3870	628
Hopewell	NY0656	20.07%	1244	250
Huron	NY1128	25.20%	810	204
Lyons (town)	NY1254	24.94%	2179	543
Lyons (village)	NY0348	24.94%	1500	374
Macedon (town)	NY1060	16.98%	3236	547
Macedon (village)	NY1059	16.20%	558	90
Manchester (town)	NY0654	17.69%	3589	635
Marion	NY0798	20.86%	1759	367
Ovid (town)	NY1177	35.30%	918	342
Palmyra (town)	NY1256	15.52%	3009	467
Palmyra (village)	NY0350	16.35%	1494	244

Communities	CUID(S)	CPR*	2000 Census Households	Estimated DBS Subscribers+
<b>CSR 7405-E (continued)</b>				
Phelps (town)	NY0767	16.24%	2659	432
Richmond	NY1513	25.61%	1315	337
Rose	NY1127	28.70%	894	257
Savannah	NY1329	37.15%	666	247
Seneca	NY0499	16.30%	967	58
Seneca Falls (town)	NY0384	16.77%	3796	636
Sodus (town)	NY0359	20.97%	3436	720
Sodus (village)	NY0785	23.36%	694	162
Walworth	NY1061	15.98%	2851	456
Waterloo (village)	NY0228	19.71%	1939	382
Williamson	NY0786	16.46%	2545	419
Wolcott (town)	NY1126	34.53%	1742	601
Wolcott (village)	NY1129	29.46%	715	211
<b>CSR 7406-E</b>				
Akron	NY1266	21.78%	1313	286
Alabama	NY1657	17.89%	663	119
Albion (town)	NY1276	36.13%	704	256
Albion (village)	NY1024	15.31%	2307	353
Adlen (town)	NY1275	21.49%	3278	704
Alden (vilage)	NY1218	21.19%	1083	229
Avon (town)	NY0998	20.08%	2525	507
Barre	NY1615	16.88%	739	125
Bennington	NY1598	25.66%	1208	310
Bergen (town)	NY1049	18.58%	1196	222
Bergen (village)	NY0878	19.10%	466	89
Caledonia (town)	NY0889	21.83%	1671	365
Caledonia (village)	NY0890	25.01%	902	226
Caneadea	NY1445	41.60%	650	270
Carlton	NY1535	17.80%	1103	196
Castile (town)	NY1111	24.54%	1218	277
Castile (village)	NY1113	25.71%	427	110
Conesus	NY1257	34.80%	869	302
Covington	NY1639	33.46%	473	158
Darien	NY1597	24.70%	1064	263
Elba (town)	NY0992	26.13%	853	223
Gaines	NY1581	15.29%	1474	225
Geneseo (town)	NY1258	19.63%	2523	495
Geneseo (village)	NY1131	16.67%	1718	286
Groveland	NY1491	26.13%	555	145
Hartland	NY1325	30.12%	1526	460
Honeoye Falls	NY0944	19.99%	1114	223
Hume	NY1334	49.32%	766	378
Java	NY1687	39.63%	807	320
Leicester (town)	NY1048	24.49%	1845	452
Leicester (village)	NY1000	24.74%	608	150
LeRoy (town)	NY0888	20.65%	849	175
Lima (town)	NY1001	19.29%	1553	300
Lima (village)	NY0946	21.94%	770	169
Livonia (town)	NY1002	20.59%	2693	555
Livonia (village)	NY0945	22.14%	534	118
Marilla	NY1314	24.08%	2021	487
Medina	NY1023	18.08%	2567	464

Communities	CUID(S)	CPR*	2000 Census Households	Estimated DBS Subscribers+
<b>CSR 7406-E (continued)</b>				
Middleport	NY1219	31.95%	756	242
Newstead	NY1327	21.19%	3371	714
Oakfield (town)	NY0923	21.75%	1151	250
Oakfield (village)	NY0914	21.75%	648	141
Pavilion	NY1328	24.54%	886	217
Pembroke	NY1050	16.01%	1660	266
Perry (village)	NY1112	23.01%	1560	359
Portage	NY1317	28.98%	308	89
Ridgeway	NY1315	18.08%	2627	475
Royalton	NY1394	28.00%	2810	787
Rush	NY1173	18.82%	1268	239
Scottsville	NY0954	15.22%	835	127
Shelby	NY1294	21.91%	2005	439
Sheldon	NY1616	39.68%	916	363
Warsaw (town)	NY1699	27.17%	2113	574
West Bloomfield	NY1114	25.65%	1013	260
Wheatland	NY0952	18.32%	2011	368
Yates	NY1293	31.44%	917	288
York	NY1003	22.67%	1181	268
<b>CSR 7483-E</b>				
Bethel	NY0621	26.39%	1649	435
Callicoon	NY0524	45.60%	1222	557
Chester	NY1648	15.68%	1396	219
Cochecton	NY1558	49.67%	555	276
Deerpark	NY0218	17.68%	2906	514
Fallsburg	NY0441	22.60%	3761	850
Forestburg	NY1115	31.77%	327	104
Gardiner	NY0766	16.64%	1997	332
Goshen (town)	NY0845	18.43%	4074	751
Hamptonburgh	NY1090	19.08%	1467	280
Hunter (town)	NY0698	22.09%	1074	237
Jewett	NY1450	42.63%	405	173
Liberty (town)	NY0464	34.92%	3711	1296
Lumberland	NY1377	32.31%	781	252
Mamakating	NY0439	19.83%	4153	823
Marlborough	NY0400	16.56%	3020	500
Middletown	NY0821	18.82%	9466	1781
Montgomery (town)	NY0484	19.01%	7273	1383
Mount Hope	NY1089	19.07%	1582	302
Neversink	NY0472	34.74%	1346	468
Newburgh (city)	NY0248	20.51%	9144	1875
Newburgh (town)	NY0247	19.97%	9765	1950
	NY0602			
Olive	NY0473	20.80%	1869	389
Port Jervis	NY0219	17.39%	3533	614
Red Hook (town)	NY0478	27.56%	3574	985
Rhinebeck (town)	NY0479	22.87%	3001	686
Rhinebeck (village)	NY0480	22.87%	1376	315
Rochester	NY0438	24.77%	2688	666
Shawangunk	NY0515	22.65%	3433	778
Thompson	NY0628	15.56%	5543	862
Tivoli	NY0362	23.92%	487	117

Communities	CUID(S)	CPR*	2000 Census Households	Estimated DBS Subscribers+
<b>CSR 7483-E (continued)</b>				
Tusten	NY0507	36.16%	583	211
Wawarsing	NY0436	26.41%	4382	1157
Wawayanda	NY0970	18.78%	2095	393
<b>CSR 7491-E</b>				
Auburn (city)	NY0040	15.95%	11411	1820
Fleming (town)	NY0784	16.54%	1041	172
Sennett (town)	NY0844	17.50%	1085	190
Spafford (town)	NY1165	21.17%	631	134
Throop (town)	NY1166	19.78%	700	138
<b>CSR 7492-E</b>				
Candor (town)	NY0679	23.00%	2022	465
Dryden (village)	NY0114	19.73%	772	152
Newfield	NY0095	30.78%	2052	632
<b>CSR 7494-E</b>				
Franklin (town)	NY1611	16.65%	473	79
St. Armand (town)	NY0543	21.16%	543	115
Tupper Lake (town, formerly known as Town of Altamont)	NY0549	19.37%	2429	470
<b>CSR 7497-E</b>				
Cincinnatus (town)	NY1386	60.27%	418	252
Cortlandville (town)	NY0467	17.88%	3166	566
Georgetown (town)	NY1410	64.57%	249	161
Homer (village)	NY0115	16.44%	1373	226
Otselic (town)	NY1409	45.06%	356	160
Pitcher (town)	NY1141	50.73%	293	149
Preble (town)	NY1385	19.30%	615	119
Scott (town)	NY1477	18.11%	417	76
Taylor (town)	NY1412	52.91%	177	94
Willet (town)	NY1745	52.46%	368	193
<b>CSR 7499-E</b>				
Forestport (town)	NY1479	43.04%	736	317
Litchfield (town)	NY1632	17.40%	515	90
	NY1645			
Paris (town)	NY0081	16.80%	1714	288
Trenton (town)	NY0958	40.83%	1776	725
	NY1993			
<b>CSR 7501-E</b>				
Burlington (town)	NY1544	44.05%	392	173
Little Falls (city)	NY0030	19.29%	2339	451
Winfield (town)	NY1068	35.74%	821	293
<b>CSR 7536-E</b>				
Greene (town)	NY1731	33.92%	2275	772
Lisle (town)	NY0832	36.99%	971	360
Owego (village)	NY0267	17.55%	1664	292
Tioga (town)	NY0268	23.39%	1849	432

Communities	CUID(S)	CPR*	2000 Census Households	Estimated DBS Subscribers+
<b>CSR 7555-E</b>				
Alfred (town)	NY0007	35.37%	996	352
Avoca (town)	NY1651	28.98%	873	253
Almond (village)	NY0008	22.63%	632	143
Arkport (village)	NY0039	18.08%	348	63
Bath (town)	NY0517	27.55%	4905	1351
Belfast (town)	NY0573	46.92%	651	305
Bolivar (town)	NY1448	31.49%	844	266
Dansville (town)	NY1590	30.88%	735	227
	NY1638			
Dansville (village)	NY0050	30.93%	1912	591
Friendship (town)	NY1476	46.55%	770	358
Genesee (town)	NY1708	38.84%	661	257
Hartsville (town)	NY1637	22.61%	233	53
Hornellsville (town)	NY0490	18.08%	1669	302
Richburg (village)	NY0799	31.51%	161	51
Sparta (town)	NY1588	30.85%	595	184
Springwater (town)	NY1452	34.70%	873	303
Wayland (town)	NY1591	31.18%	1665	519
West Sparta (town)	NY1641	29.32%	451	132
<b>CSR 7556-E</b>				
Afton (town)	NY1644	37.17%	1186	441
Bainbridge (town)	NY1643	31.03%	1368	425
Coventry (town)	NY1798	33.29%	577	192
Davenport (town)	NY0809	18.70%	1132	212
Delhi (village)	NY0121	34.25%	714	245
Edmeston (town)	NY0975	44.58%	658	293
Exeter (town)	NY1543	38.24%	373	143
Franklin (town)	NY0364	23.48%	473	111
Guilford (town)	NY1342	23.91%	1181	282
	NY1698			
Hartwick (town)	NY0976	33.18%	850	282
Laurens (town)	NY0207	17.70%	965	171
Maryland (town)	NY1100	42.12%	773	326
Masonville (town)	NY1374	29.75%	525	156
Meredith (town)	NY1136	43.17%	612	264
	NY1140			
New Berlin (town)	NY0624	26.25%	1083	284
North Norwich	NY0555	22.49%	727	163
Norwich (city)	NY0256	18.71%	3131	586
Otego (town)	NY0294	15.09%	1234	186
Otego (town)	NY0626	31.46%	1701	535
Plymouth (town)	NY0542	22.09%	682	151
Richfield (town)	NY0236	35.58%	968	344
Springfield (town)	NY0692	33.94%	521	177
Unadilla (town)	NY0232	26.68%	1810	483
Worcester (town)	NY1350	42.94%	911	391
<b>CSR 7557-E</b>				
Brutus (town)	NY0955	25.14%	1793	45
Cato	NY1501	31.36%	994	312
Cato (village)	NY1503	47.73%	238	114
Cazenovia (town)	NY1014	15.83%	2353	372

Communities	CUID(S)	CPR*	2000 Census Households	Estimated DBS Subscribers+
<b>CSR 7557-E (continued)</b>				
Cuyler (town)	NY1456	46.07%	359	165
DeRuyter (town)	NY1439	47.98%	592	284
Elbridge (town)	NY0883	17.07%	2322	396
Fabius (town)	NY1470	31.73%	686	218
Hastings (town)	NY1260	22.12%	3374	746
Lafayette (town)	NY0881	17.49%	1826	319
Marcellus (town)	NY0847	19.41%	2378	462
Meridian (village)	NY1502	47.73%	118	56
Mexico (town)	NY1261	31.60%	1934	611
Nelson (town)	NY1015	32.48%	731	237
Orwell (town)	NY1712	39.90%	419	167
Otisco (town)	NY1533	23.65%	922	218
Palermo (town)	NY1624	17.61%	1306	230
Parish (town)	NY1404	38.35%	955	366
Pompey (town)	NY1057	17.14%	2154	369
Preble (town)	NY1739	19.30%	615	119
Pulaski (village)	NY0949	26.10%	1034	270
Richland (town)	NY1195	28.12%	2257	635
Sandy Creek (town)	NY1262	30.33%	1543	468
Skaneateles (town)	NY0866	17.85%	2881	514
	NY1211			
Sterling (town)	NY1619	58.19%	1337	778
Truxton (town)	NY1457	19.71%	440	87
Tully (town)	NY1368	22.39%	1030	231
<b>CSR 7559-E</b>				
Annsville (town)	NY1139	24.18%	1061	257
Ava (town)	NY1602	33.33%	257	86
Boonville (town)	NY0702	36.71%	1781	654
Canastota (village)	NY0574	15.89%	1872	297
Constantia (town)	NY1285	26.3%	1893	500
Eaton (town)	NY1121	33.59%	1358	456
Hamilton (town)	NY0967	45.63%	1546	705
Hamilton (village)	NY0841	21.16%	707	150
Kirkland (town)	NY0076	16.81%	3419	575
	NY1715			
Lebanon (town)	NY1122	45.11%	506	228
Lenox (town)	NY0576	15.89%	3485	554
Lewis (town)	NY1603	34.18%	296	101
Leyden (town)	NY0519	30.53%	676	206
Madison (town)	NY0827	33.76%	1129	381
Marshall (town)	NY0826	22.36%	786	176
Smyrna (town)	NY1640	48.13%	472	227
Stockbridge (town)	NY0599	16.10%	739	119
Trenton (town)	NY1193	40.83%	1776	725
Vienna (town)	NY1196	29.07%	2192	637
West Monroe (town)	NY1284	22.88%	1579	361
<b>CSR 7560-E</b>				
Adams (town)	NY0586	23.55%	1864	439
Bangor (town)	NY0199	46.30%	776	359
Bombay (town)	NY1627	48.15%	483	233
Burke (town)	NY0303	30.43%	483	147

Communities	CUID(S)	CPR*	2000 Census Households	Estimated DBS Subscribers+
<b>CSR 7560-E (continued)</b>				
Canton (town)	NY0022	25.26%	3198	808
Canton (village)	NY0023	18.40%	1531	282
Carthage (village)	NY0064	16.87%	1417	239
Champlain (town)	NY1031	27.85%	2386	665
Champlain (village)	NY1030	31.83%	521	166
Chazy (town)	NY1210	38.09%	1566	597
Constable (town)	NY0885	27.11%	533	145
Croghan (town)	NY1016	21.69%	1115	242
Dekalb (town)	NY1530	26.56%	792	210
Denmark (town)	NY1438	23.55%	977	230
Diana (town)	NY1373	46.61%	642	299
Ellenburg (town)	NY1617	57.21%	703	402
Ellisburg (town)	NY1465	35.90%	1269	456
Ellisburg (village)	NY1514	24.84%	91	23
Fort Covington (town)	NY0801	38.07%	621	236
Fowler (town)	NY0099	35.24%	811	286
Gouverneur (town)	NY0100	28.31%	2484	703
Herrings (village)	NY0065	16.87%	42	7
Hopkinton (town)	NY1625	22.80%	390	89
Lawrence (town)	NY0725	34.36%	584	201
Lisbon (town)	NY0812	21.34%	1468	313
Lorraine (town)	NY1737	34.26%	327	112
Lyme (town)	NY1348	27.36%	813	222
Madrid (town)	NY0886	33.83%	638	216
Malone (town)	NY0201	29.49%	4114	1213
Martinsburg (town)	NY1544	27.74%	473	131
Moira (town)	NY0203	35.08%	1130	396
Mooers (town)	NY1369	44.27%	1264	560
Morristown (town)	NY0930	22.58%	816	184
New Bremen (town)	NY1019	28.51%	945	269
Ogdensburg (city)	NY0205	15.86%	4181	663
Oswegatchie (town)	NY0206	19.21%	1508	290
Parishville (town)	NY0756	18.51%	797	148
Philadelphia (village)	NY1359	23.00%	546	126
Pierrepont (town)	NY0544	19.39%	1039	201
Pitcairn (town)	NY1372	32.56%	295	96
Potsdam (town)	NY0037	18.21%	5073	924
Rensselaer Falls (village)	NY1532	40.51%	124	50
Rouses Point (village)	NY1029	20.03%	978	196
Russell (town)	NY1621	26.14%	650	170
Stockholm (town)	NY0528	19.81%	1381	274
Waddington (town)	NY0810	22.95%	405	93
Watson (town)	NY1555	27.74%	772	214
West Carthage (village)	NY0066	16.87%	830	140
Westville (town)	NY0802	31.19%	671	209
Wilna (town)	NY0067	15.74%	2335	368

CPR = DBS penetration or subscribership

+ = See Petition (in these Attachments, numbers of DBS subscribers are rounded off)

## ATTACHMENT C

**“COMPETING PROVIDER” COMMUNITIES - DENIED**

**CSR 7234-E, 7235-E, 7236-E, 7369-E, 7370-E, 7385-E, 7386-E, 7388-E, 7404-E, 7405-E, 7406-E, 7483-E, 7491-E, 7492-E, 7494-E, 7497-E, 7499-E, 7501-E, 7536-E, 7555-E, 7556-E, 7557-E, 7559-E, 7560-E**

**COMMUNITIES SERVED BY TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE PARTNERSHIP AND TIME WARNER CABLE INC.**

<b>Communities</b>	<b>CUID(S)</b>	<b>Time-Warner Subscribership+</b>	<b>CPR*</b>	<b>2000 Census Households</b>	<b>Estimated DBS Subscribers+</b>
<b>CSR 7234-E</b>					
Chester	NY1249	64.69%	37.18%	1280	476
Fort Ann (village)	NY1020	90.91%	38.40%	187	72
Hague	NY1247	90.03%	23.38%	371	87
Horicon	NY1250	116.98%	26.73%	642	172
Port Henry	NY1120	98.37%	18.53%	491	91
Schroon	NY1150	88.74%	35.58%	737	262
Ticonderoga	NY1538	74.65%	31.40%	2028	637
Whitehall (village)	NY0098	75.72%	34.46%	1104	380
<b>CSR 7235-E</b>					
Canajoharie (village)	NY0253	68.65%	33.29%	925	308
Fort Plain	NY0254	72.60%	44.24%	960	425
Palatine Bridge	NY0257	94.20%	27.76%	276	77
St. Johnsville (village)	NY0258	69.41%	44.71%	693	310
<b>CSR 7236-E</b>					
Argyle (village)	NY1691	55.08%	56.83%	118	67
Day	NY1562	95.55%	24.88%	382	95
Edinburg	NY1561	96.49%	20.79%	598	124
Granville (village)	NY0279	78.22%	37.76%	1024	387
Northville	NY0971	76.36%	29.58%	495	146
<b>CSR 7369-E</b>					
Chautauqua	NY1242	89.58%	31.97%	1881	601
Mayville	NY1241	80.32%	26.82%	686	184
Sherman (village)	NY1510	58.54%	44.20%	287	127
<b>CSR 7370-E</b>					
Forestville	NY1212	72.04%	46.53%	304	142
<b>CSR 7385-E</b>					
Cambridge (village)	NY0992	85.03%	29.93%	755	226
Cherry Valley (village)	NY1232	79.75%	46.57%	237	110
Cobleskill (village)	NY0987	79.31%	22.32%	1537	343
Delanson	NY1304	162.25%	38.86%	151	56
Esperance (village)	NY1303	69.80%	45.63%	149	68
Fonda	NY0696	152.99%	19.89%	351	70
Fort Johnson	NY0455	135.35%	17.43%	198	34
Fultonville	NY0695	93.91%	42.18%	279	118

Communities	CUID(S)	Time-Warner Subscribership+	CPR*	2000 Census Households	Estimated DBS Subscribers+
<b>CSR 7385-E (continued)</b>					
Greenwich (village)	NY0995	82.87%	29.72%	788	234
Hoosick Falls	NY1118	87.70%	29.35%	1382	406
Nassau (village)	NY0979	129.39%	22.47%	490	110
Richmondville (village)	NY0988	87.85%	43.77%	314	137
Salem (village)	NY0991	83.47%	43.93%	363	160
Schaghticoke (village)	NY0996	77.04%	28.41%	270	77
Schuylerville	NY0993	102.61%	17.72%	536	94
Sharon Springs	NY1237	90.69%	44.63%	204	91
Valley Falls	NY1167	91.62%	23.38%	179	42
Victory	NY0994	98.94%	17.62%	189	33
<b>CSR 7386-E</b>					
Hammondsport (village)	NY1095	84.64%	28.47%	332	95
Jerusalem (town)	NY1390	85.55%	28.91%	1606	464
Penn Yan (village)	NY0217	79.73%	30.10%	2141	644
Pulteney (town)	NY1388	65.72%	35.70%	566	202
Rushville (village)	NY1399	73.21%	36.96%	224	83
	NY1752				
Wayne (town)	NY1395	99.80%	30.17%	494	149
<b>CSR 7388-E</b>					
Churchville (village)	NY0943	82.57%	18.37%	723	133
<b>CSR 7404-E</b>					
Arcade (village)	NY0858	63.74%	40.50%	819	332
Barker	NY1428	59.72%	42.42%	211	90
Clarence	NY0854	86.27%	18.59%	9154	1701
Delevan	NY0862	64.68%	41.33%	436	180
East Aurora	NY1223	85.90%	21.14%	2596	549
Farnham	NY1550	100.00%	39.63%	113	45
Gowanda	NY1301	66.41%	36.74%	1161	415
	NY1302				
Grand Island	NY0899	83.26%	24.59%	6898	1696
Lewiston (village)	NY0313	103.71%	18.36%	1268	233
North Collins (village)	NY1297	75.60%	42.25%	414	175
Orchard Park (village)	NY0874	85.12%	19.77%	1418	280
Pendelton	NY1259	76.56%	27.16%	2116	575
Springville	NY1161	66.04%	36.50%	1705	622
Wheatfield	NY1027	86.75%	25.31%	5305	1342
Youngstown	NY0727	79.48%	22.11%	809	179
<b>CSR 7405-E</b>					
Aurora	NY1078	90.61%	45.53%	181	82
Bloomfield	NY1686	81.86%	33.40%	474	158
Canandaigua (town)	NY0563	90.19%	18.00%	2886	519
Cayuga	NY1079	115.27%	35.96%	203	73
Clyde	NY0347	73.57%	33.11%	859	284
Interlaken	NY1181	74.22%	39.76%	256	102
Lodi (village)	NY1179	59.66%	40.63%	119	48
Naples (village)	NY0606	71.30%	40.40%	453	183
Ovid (village)	NY1180	75.10%	31.43%	245	77
Phelps (village)	NY0768	85.21%	28.50%	791	225
Red Creek	NY1130	91.43%	45.94%	210	96

Communities	CUID(S)	Time-Warner Subscribership+	CPR*	2000 Census Households	Estimated DBS Subscribers+
<b>CSR 7405-E (continued)</b>					
Romulus	NY1174	74.96%	27.72%	583	162
Shortsville	NY0592	107.87%	20.78%	508	106
South Bristol	NY0705	82.99%	21.27%	670	142
Union Springs	NY1081	89.74%	27.65%	429	119
Victor	NY0608 NY0655	93.80%	18.39%	935	172
<b>CSR 7406-E</b>					
Alexander (village)	NY0894	72.67%	33.01%	172	57
Attica (village)	NY0892	77.33%	24.18%	1072	259
Avon (village)	NY0999	89.66%	16.91%	1151	195
Corfu	NY0997	77.99%	22.03%	309	68
Elba (village)	NY0896	75.51%	32.97%	245	81
Gainesville (village)	NY1268	69.03%	45.31%	113	51
LeRoy (village)	NY0897	771.43%	20.11%	175	35
Lyndonville	NY1265	77.54%	31.44%	325	102
Mount Morris (village)	NY1051	78.50%	24.18%	1307	316
Nunda (village)	NY1220	69.11%	33.15%	505	167
Pike (village)	NY1656	60.16%	45.31%	128	58
Silver Springs	NY1269	81.52%	27.97%	341	95
Warsaw (village)	NY0558	88.54%	25.72%	1484	382
Wyoming	NY1599	74.43%	31.81%	176	56
<b>CSR 7483-E</b>					
Bloomington	NY0718	144.52%	21.15%	146	31
Crawford	NY0514	87.51%	19.98%	2707	541
Delaware	NY0488	60.56%	47.37%	956	453
Ellenville	NY0437	84.22%	22.88%	1540	352
Goshen (village)	NY0846	86.61%	17.73%	2039	362
Highland	NY0597	79.92%	35.23%	951	335
Hunter (village)	NY0699	161.34%	23.65%	238	56
Jeffersonville	NY0161	135.19%	43.46%	162	70
Liberty (village)	NY0198	77.10%	24.69%	1646	406
Maybrook	NY0547	85.33%	16.51%	1043	172
Montgomery (village)	NY0492	96.93%	23.72%	1304	309
New Windsor	NY0246	88.04%	16.68%	8396	1400
Otisville	NY1088	92.13%	23.28%	356	83
Red Hook (village)	NY0477	132.42%	33.46%	765	256
Rockland	NY0225	60.64%	48.69%	1560	760
Shandaken (town)	NY0556	86.19%	17.39%	1463	254
Tannersville (village)	NY0697	133.33%	15.99%	216	35
Walden	NY0513	92.22%	15.07%	2197	331
Wallkill	NY0717	87.18%	18.49%	8866	1640
Washingtonville	NY0503	95.51%	16.76%	1984	332
Wurtsboro	NY0719	111.06%	18.75%	479	90
<b>CSR 7491-E</b>					
Owasco (town)	NY0553	84.84%	15.95%	1425	227
Skaneateles (village)	NY0867	127.72%	22.74%	1104	251
<b>CSR 7492-E</b>					
Candor (village)	NY0087	81.79%	34.41%	2022	465
Freeville (village)	NY0622	78.10%	28.48%	210	60

Communities	CUID(S)	Time-Warner Subscribership+	CPR*	2000 Census Households	Estimated DBS Subscribers+
<b>CSR 7492-E (continued)</b>					
Groton (village)	NY0212	75.24%	37.30%	960	358
Trumansburg (village)	NY0579	76.10%	30.67%	682	209
<b>CSR 7494-E</b>					
Santa Clara (town)	NY1704	98.06%	17.81%	155	28
Tupper Lake (village)	NY0003	90.50%	20.20%	1684	340
<b>CSR 7497-E</b>					
McGraw (village)	NY0016	74.61%	34.12%	383	130
<b>CSR 7499-E</b>					
Barneveld (village)	NY1206	236.51%	40.83%	126	51
Clayville (village)	NY0572	126.79%	24.18%	168	41
Cold Brook (village)	NY0964	79.67%	43.41%	123	53
Inlet (town)	NY1692	204.79%	57.27%	188	108
Newport (village)	NY0962	98.09%	33.57%	262	88
Poland (village)	NY0965	86.98%	29.26%	192	56
Prospect	NY1207	85.37%	52.69%	123	65
Remsen (village)	NY0972	83.17%	52.69%	202	107
Webb (town)	NY1693	101.18%	33.22%	845	281
<b>CSR 7501-E</b>					
Bridgewater (village)	NY0296	65.20%	34.42%	596	205
Dolgeville (village)	NY0419	79.45%	26.85%	915	246
Frankfort (village)	NY0025	87.13%	20.35%	1088	221
Mohawk (village)	NY0034	80.02%	20.33%	1146	233
West Winfield	NY0162	94.89%	35.74%	352	126
<b>CSR 7536-E</b>					
Greene (village)	NY0704	81.55%	28.47%	737	210
Lisle (village)	NY0831	103.45%	31.07%	116	36
Marathon (village)	NY0829	67.78%	46.23%	419	194
Newark Valley (village)	NY0680	95.13%	25.83%	390	101
Whitney Point (village)	NY0830	94.71%	30.29%	397	120
<b>CSR 7555-E</b>					
Angelica (village)	NY1330	64.48%	46.23%	366	169
Avoca (village)	NY0444	75.21%	38.10%	363	138
Bath (village)	NY0533	82.62%	25.84%	2612	675
Bolivar (village)	NY0594	68.51%	31.51%	451	142
Canaseraga (village)	NY1799	151.82%	53.88%	220	119
Caniesto (village)	NY0153	78.90%	31.36%	948	297
Cohocton (village)	NY0595	143.99%	35.92%	316	114
Savona (village)	NY0051	74.45%	38.14%	317	121
Shinglehouse (borough)	PA2544	75.44%	49.41%	513	253
Wayland (village)	NY0498	80.48%	29.54%	743	219
<b>CSR 7556-E</b>					
Afton (village)	NY0006	85.52%	35.51%	366	130
Bainbridge (village)	NY0045	87.89%	28.40%	578	164
Cooperstown (village)	NY0054	100.99%	26.72%	906	242
Franklin (village)	NY0649	80.37%	43.76%	163	71
Gilbertsville (village)	NY0990	87.80%	38.94%	164	64

Communities	CUID(S)	Time-Warner Subscribership+	CPR*	2000 Census Households	Estimated DBS Subscribers +
<b>CSR 7556-E (continued)</b>					
Hobart (village)	NY0299	101.99%	46.02%	151	69
Milford (village)	NY0530	101.01%	33.92%	198	67
Morris (village)	NY0566	75.10%	41.63%	261	109
New Berlin (village)	NY0057	87.53%	40.82%	425	174
Norwich (town)	NY0554	84.62%	22.07%	1521	336
Otego (village)	NY0405	92.49%	35.63%	386	138
Oxford (village)	NY0058	89.62%	38.30%	607	232
Richfield Springs (village)	NY0648	94.78%	35.45%	536	190
Stamford (village)	NY1227	81.45%	39.36%	496	195
Unadilla (village)	NY0231	81.49%	35.56%	470	167
Walton (village)	NY0659	81.99%	43.13%	1336	548
Worcester (town)	NY1350	57.30%	42.94%	911	391
<b>CSR 7557-E</b>					
Cazenovia (village)	NY1013	85.68%	24.28%	943	229
DeRuyter (village)	NY1440	61.50%	43.50%	213	93
Fabius (village)	NY1471	56.69%	45.07%	127	57
Fair Haven (village)	NY1622	111.65%	30.43%	395	120
Hannibal (village)	NY1169	82.63%	26.25%	213	56
Jordan (village)	NY0882	93.99%	19.27%	499	96
Lacona (village)	NY1198	63.79%	41.27%	243	100
Mexico (village)	NY0950	84.66%	25.62%	652	167
Parish (village)	NY1405	61.78%	42.11%	191	80
Port Byron (village)	NY0981	72.85%	45.10%	501	226
Sandy Creek (village)	NY1197	69.77%	34.19%	311	106
Tully (village)	NY1194	81.93%	20.93%	404	85
Weedsport (village)	NY0915	76.66%	28.88%	767	221
<b>CSR 7559-E</b>					
Boonville (village)	NY0476	90.76%	31.50%	877	276
Camden (village)	NY0947	77.93%	32.72%	920	301
Cleveland (village)	NY1286	80.14%	24.82%	277	69
Constableville (village)	NY0504	88.80%	43.46%	125	54
Earlville (village)	NY0876	90.94%	84.84%	298	253
	NY0877				
Holland Patent (village)	NY1138	82.09%	39.96%	201	80
Lyons Falls (village)	NY0475	103.78%	26.83%	238	64
Madison (village)	NY0825	102.17%	44.13%	138	61
Morrisville (village)	NY0907	77.62%	37.89%	362	137
Munnsville (village)	NY0598	72.29%	38.83%	166	64
Oriskany Falls (village)	NY0394	107.53%	40.08%	292	117
Port Leyden (village)	NY0474	100.39%	30.53%	257	79
Sherburne (village)	NY1070	76.70%	30.15%	648	195
Smyrna (village)	NY0966	72.15%	40.48%	79	32
Sylvan Beach (village)	NY1105	108.69%	21.68%	472	102
Turin (village)	NY1719	76.24%	43.63%	101	44
Waterville (village)	NY0396	92.97%	33.13%	626	207
<b>CSR 7560-E</b>					
Adams (village)	NY0587	85.39%	27.33%	705	193
Antwerp (village)	NY1361	73.46%	44.79%	260	116
Brushton (village)	NY0200	70.89%	39.93%	213	85
Burke (village)	NY0302	84.71%	48.94%	85	42

Communities	CUID(S)	Time-Warner Subscribership+	CPR*	2000 Census Households	Estimated DBS Subscribers+
<b>CSR 7560-E (continued)</b>					
Cape Vincent (town)	NY1420	79.12%	25.43%	867	220
Cape Vincent (village)	NY1421	104.60%	30.10%	348	105
Castorland (village)	NY1018	78.26%	24.41%	115	28
Chateaugay (village)	NY0301	78.40%	45.90%	338	155
Chaumont (village)	NY1344	79.40%	39.61%	233	92
Clayton (village)	NY1346	98.43%	23.31%	828	193
Colton (town)	NY0813	79.14%	38.25%	604	231
Copenhagen (village)	NY1437	80.19%	43.81%	318	139
Croghan (village)	NY1017	108.10%	28.51%	284	81
Dexter (village)	NY1347	83.10%	19.23%	420	81
Evans Mills (village)	NY1364	90.84%	18.56%	251	47
Gouverneur (village)	NY0101	78.40%	26.98%	1667	450
Harrisville (village)	NY1371	81.95%	52.48%	266	140
Henderson (town)	NY1700	73.13%	32.16%	577	186
Hermon (village)	NY1623	90.73%	43.44%	151	66
Heuvelton (village)	NY0292	92.01%	32.57%	313	102
Lowville(village)	NY0235	93.66%	26.40%	1403	370
Malone (village)	NY0202	80.49%	24.54%	2583	634
Mannsville (village)	NY1466	76.22%	46.08%	143	66
Morristown (village)	NY0931	99.44%	53.21%	180	96
Norwood (village)	NY0036	83.80%	20.78%	685	142
Orleans (town)	NY1495	77.91%	30.31%	928	281
Richville (village)	NY1529	114.68%	42.30%	109	46
Sackets Harbor (village)	NY1349	95.71%	15.09%	653	99
Theresa (village)	NY1363	77.92%	47.34%	308	146
Waddington (village)	NY0811	96.30%	22.95%	405	93

CPR = DBS penetration or subscribership

+ = See Petition (in these Attachments, numbers of DBS subscribers are rounded off)

## ATTACHMENT D

“LOW PENETRATION” COMMUNITIES

CSR 7234-E, 7235-E, 7236-E, 7369-E, 7370-E, 7385-E, 7386-E, 7404-E, 7405-E, 7406-E, 7483-E,  
7492-E 7494-E, 7497-E, 7499-E, 7501-E, 7536-E, 7555-E, 7556-E, 7557-E, 7559-E, 7650-E

**COMMUNITIES SERVED BY TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE  
PARTNERSHIP AND TIME WARNER CABLE INC.**

Communities	CUID(S)	Franchise Area Households	Cable Subscribers	Penetration Percentage
<b>CSR 7234-E</b>				
Putnam	NY1248	248	21	8.47%
Whitehall (town)	NY1539	1611	85	5.28%
<b>CSR 7235-E</b>				
Canajoharie (town)	NY1498	1492	94	6.30%
Minden	NY1496	1685	72	4.27%
Palatine	NY1497	1135	59	5.20%
St. Johnsville (town)	NY1499	1043	97	9.30%
<b>CSR 7236-E</b>				
Kingsbury	NY0535	4491	1020	22.71%
<b>CSR 7369-E</b>				
Sherman (town)	NY1507	546	17	3.11%
<b>CSR 7370-E</b>				
Pomfret	NY1164	5105	106	2.08%
<b>CSR 7385-E</b>				
Cambridge (town)	NY1106	795	41	5.16%
Cherry Valley (town)	NY1231	482	10	2.07%
Coeymans	NY0677	3121	26	.83%
Duanesburg	NY1305	2141	608	28.40%
Easton	NY1093	854	111	13.00%
Glen	NY1609	781	47	6.02%
Kinderhook (town)	NY0778	3165	879	27.77%
Middleburgh (town)	NY1238	1383	103	7.45%
Salem (town)	NY1072	1065	156	14.65%
Sharon	NY1236	678	64	9.44%
<b>CSR 7386-E</b>				
Middlesex (town)	NY1505	521	78	14.97%
Milo (town)	NY0216	2824	293	10.38%
<b>CSR 7404-E</b>				
Arcade (town)	NY0859	1672	153	9.15%
Concord	NY1160	3264	338	10.36%
Freedom	NY1156	871	95	10.91%
North Collins (town)	NY1296	1254	107	8.53%
Perrysburg (town)	NY1298	685	84	12.26%
Persia	NY1299	961	19	1.98%

Communities	CUID(S)	Franchise Area Households	Cable Subscribers	Penetration Percentage
<b>CSR 7405-E</b>				
Covert	NY1176	892	11	1.23%
East Bloomfield	NY0806	1215	134	11.03%
Galen	NY1255	1645	140	8.51%
Ledyard	NY1080	3037	17	0.56%
Lodi (town)	NY1175	559	77	13.77%
Naples (town)	NY1652	896	108	10.95%
Springport	NY1082	865	109	12.60%
<b>CSR 7406-E</b>				
Attica (town)	NY1091	1497	122	8.15%
Gainesville (town)	NY1267	873	88	10.08%
Genesee Falls	NY1316	661	65	9.83%
Middlebury	NY1600	530	59	11.13%
Mount Morris (town)	NY1326	1783	77	4.32%
Nunda (town)	NY1335	1131	142	12.56%
Orangeville	NY1654	485	49	10.10%
Perry (town)	NY1110	1905	180	9.45%
Pike (town)	NY1655	382	33	8.64%
<b>CSR 7483-E</b>				
Blooming Grove	NY0502	5836	1125	19.28%
Catskill	NY0632	4780	531	11.11%
Colchester	NY1292	837	68	8.12%
Fremont	NY1324	563	73	12.97%
Highlands	NY0819	3230	530	16.41%
LaGrange	NY0220	5085	1075	21.14%
Lloyd	NY1291	3626	73	2.01%
Marbletown (town)	NY0729	2386	36	1.51%
	NY0494			
Plattekill	NY1290	3649	8	.22%
<b>CSR 7492-E</b>				
Covert (township)	NY1525	892	62	6.95%
Groton (town)	NY0578	2168	231	10.65%
Ulysses (town)	NY0096	1986	587	29.56%
<b>CSR 7494-E</b>				
Harrietstown (town)	NY0550	2544	601	23.62%
<b>CSR 7497-E</b>				
Homer (town)	NY0465	2446	617	25.22%
Virgil (town)	NY1678	833	91	10.92%
<b>CSR 7499-E</b>				
Fairfield (town)	NY0674	561	31	5.53%
Newport (town)	NY0959	831	54	6.50%
Remsen (town)	NY1205	745	11	1.48%
Russia (town)	NY0960	993	60	6.04%
<b>CSR 7501-E</b>				
Bridgewater (town)	NY1069	596	120	20.13%
Brookfield (town)	NY1478	877	206	23.49%
Columbia (town)	NY1631	581	103	17.73%

Communities	CUID(S)	Franchise Area Households	Cable Subscribers	Penetration Percentage
<b>CSR 7501-E (continued)</b>				
Danube (town)	NY1633	398	53	13.32%
Exeter (town)	NY0956	373	28	7.51%
Frankfort (town)	NY0024	2997	634	21.15%
German Flats (town)	NY0026	5483	646	11.78%
Herkimer (town)	NY0027	4114	683	16.60%
Manheim (town)	NY0432	1297	178	13.72%
New Lisbon (town)	NY1578	431	96	22.27%
Plainfield (town)	NY1067	355	92	25.92%
Salisbury (town)	NY1563	689	185	26.85%
<b>CSR 7536-E</b>				
Candor (town)	NY0893	2022	150	7.42%
Marathon (town)	NY0977	814	75	9.21%
Triangle	NY1459	1131	163	14.41%
<b>CSR 7555-E</b>				
Alma (town)	NY1449	332	30	9.32%
Almond (town)	NY1741	632	182	28.80%
Burns (town)	NY1713	456	18	3.95%
Caniesto (town)	NY1636	1423	123	8.64%
Cohocton (town)	NY1706	972	1	0.10%
Fremont	NY1635	395	85	21.52%
Groveland (town)	NY1612	555	118	21.26%
Jasper (town)	NY1282	403	50	12.41%
North Dansville (town)	NY1587	2318	267	11.52%
Scio (town)	NY1677	729	12	1.65%
Troupsburg (town)	NY1307	380	53	13.95%
<b>CSR 7556-E</b>				
Butternuts (town)	NY1137	715	47	6.57%
Delhi (town)	NY0119	1493	199	13.33%
Harpersfield (town)	NY0633	591	4	0.68%
Kortright (town)	NY1228	597	3	0.50%
Middlefield (town)	NY0623	792	49	6.19%
Morris (town)	NY0567	737	89	12.08%
Oxford (town)	NY0646	1440	155	10.76%
Pittsfield (town)	NY0627	474	62	13.08%
Sidney (town)	NY0233	2565	310	12.09%
Stamford (town)	NY0071	794	21	2.64%
Walton (town)	NY0264	2391	329	13.76%
<b>CSR 7557-E</b>				
Fenner (town)	NY1714	607	67	11.04%
Ira (town)	NY1504	822	80	9.73%
Mentz (town)	NY1366	932	85	9.12%
Minoa (village)	NY0331	1249	121	9.69%
<b>CSR 7559-E</b>				
Augusta (town)	NY1716	744	8	1.08%
Camden (town)	NY1352	1881	249	13.24%
Fenner (town)	NY1683	607	67	11.04%
Lyonsdale (town)	NY0521	468	67	14.32%
Sangerfield (town)	NY0828	944	57	6.04%
Sherburne (town)	NY1199	1619	223	13.77%

Communities	CUID(S)	Franchise Area Households	Cable Subscribers	Penetration Percentage
<b>CSR 7559-E (continued)</b>				
Smithfield (town)	NY1744	415	56	13.49%
Turin (town)	NY1515	296	41	13.85%
West Turin (town)	NY0520	635	23	3.62%
<b>CSR 7560-E</b>				
Albion (town)	NY1738	704	80	11.36%
Alexandria (town)	NY1528	1653	217	13.13%
Altmar (village)	NY1736	11411	159	1.39%
Altona (town)	NY1618	888	72	8.11%
Antwerp (town)	NY1360	621	7	1.13%
Champion (town)	NY0062	1675	490	29.25%
Chateaugay (town)	NY0304	714	41	5.74%
Greig (town)	NY1553	533	59	11.07%
Hermon (town)	NY1620	398	6	1.51%
LeRay (town)	NY0143	4998	1443	28.87%
	NY1365			
Lowville (town)	NY1444	1796	119	6.63%
Massena (town)	NY0032	5510	841	15.26%
Pharsalia (town)	NY1743	200	2	1.00%
Philadelphia (town)	NY1358	759	112	14.76%
Rodman (town)	NY1442	385	69	17.92%
Theresa (town)	NY1362	869	55	6.33%